

## Another Round in Tonkin Debate

Behind the swinging shutter doors of the Senate Foreign Relations Committee last week, a decision was taken that could lead to one of those turning points in the ever-shifting relations between Congress and the Executive branch in the formulation of foreign policy.

With only a couple of dissenting voices, the committee decided to reopen the Gulf of Tonkin incidents by calling upon Defense Secretary Robert S. McNamara for a further explanation of precisely what happened on those two days in early August, 1964, when two American destroyers reportedly came under attack by North Vietnamese PT boats.

Perhaps not since the notorious Joint Committee on the Conduct of the Civil War was created by a group of anti-Lincoln Republicans had such an audacious move been made by a Congressional committee in challenging the Executive branch's handling of a war. In the midst of a war, the Senate Foreign Relations Committee, led by a group of critics of the Johnson Vietnam policy, was questioning the Administration's account of—and reaction to—two crucial events that in effect led the United States into war against North Vietnam.

Out of the Tonkin incidents developed the first American bombing raids against North Vietnam and a Congressional

resolution endorsing "all necessary measures" taken by the Administration to repel further aggression in Southeast Asia—a resolution that has since been interpreted by the Administration as "a functional equivalent" of a declaration of war against North Vietnam.

### A Challenge

Implicit in the committee's action, therefore, as the members fully appreciated, was a challenge not only to the Administration's integrity but to its underlying justification for the deepening American involvement in the Vietnam war. In effect, the committee was questioning whether the North Vietnamese attacks were such an open-and-shut affair as originally described by the Administration and whether the Administration had conclusive proof of the attacks before it ordered the retaliatory air strikes against North Vietnam and sought Congressional approval of the Gulf of Tonkin Resolution.

While the committee is a hotbed of vocal anti-Vietnam critics, this fact alone was not enough to explain the committee's action. At most, it helps explain why Senator J. W. Fulbright, the committee Chairman, some months ago instructed the committee staff to review the Gulf of Tonkin incidents.

The still secret staff study raised some serious questions about the Administration's ac-

counts of the Gulf of Tonkin incidents and about the White House's quick reaction to the reported attacks. But even the staff study probably would not have been enough to convince the committee members that they should reopen the Tonkin incidents and thus place themselves in the position of seeming to impugn the integrity of the Administration.

What finally tipped the balance was the Pueblo incident, which brought to a head all the misgivings within the committee about the Tonkin incidents. As they sat around their oval table in their rococo com-

### Tonkin Resolution

The key passages of the so-called Tonkin Resolution, passed by Congress on Aug. 7, 1964, are as follows:

"The Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in Southeast Asia."

mittee room, the members began to find disturbing parallels between the Tonkin and Pueblo incidents. As the staff study has shown, the two American destroyers apparently had not been on a completely "routine mission" in the Tonkin Gulf, as has been asserted by the Administration, but rather seemed to have been engaged in an electronic intelligence mission similar to that of the Pueblo off the North Korean coast.

### Possibility of War

Just as the Tonkin incidents had led to war, so possibly could the Pueblo incident. Suddenly Senator Karl E. Mundt, a militant Republican conservative and a supporter of the Administration's Vietnam policy turned to Mr. Fulbright and said "Bill, you have a point."

The point was one Mr. Fulbright had been trying to make ever since he started the Tonkin inquiry. The point was not so much whether the second Tonkin attack ever took place, although Mr. Fulbright has his doubts on this score, but whether the United States, in the global extension of its military power, was not getting itself into a situation where it could be dragged into war by unpremeditated incidents.

Politically, the Pueblo incident also provided the committee with a way to reexamine the Tonkin incidents in a prospective rather than retrospective critical way. The problem was no longer one of proving or disproving the Tonkin incidents but

drawing some lessons from them to prevent further incidents. From the Senatorial standpoint, one obvious answer is a greater Congressional role in the formulation of foreign policy. In a larger sense, therefore, the Tonkin inquiry, while implicitly critical of the Administration, reflects a more positive and growing desire within the committee to reassert Congressional prerogatives in foreign policy. As the members gradually came to realize, the Tonkin incidents were but symptomatic of a Constitutional problem it was trying to get at last year when the committee approved a "commitments resolution" calling upon the Executive branch not to commit the nation to foreign military actions without "positive approval" by Congress.

How far the committee will proceed in its Tonkin inquiry remains unclear. But some members are making clear they will be satisfied if it results in some commitment by the Administration that ships will not be sent on potentially provocative missions without the express approval of the President and an understanding that Congress will be consulted before incidents lead to military involvements.

Should that be the result, the committee can claim with some justification that it has reasserted at least some of the Congressional command-and-control over the Executive branch that was contemplated by the Framing Fathers when they gave Congress the Constitutional power to declare war.